

AUG 13 '24 AM 11:40  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Claran Lundgren

*(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

**-against-**

Ashton Glenn HOA c/o  
Waccamaw Management  
Bob Southoff

*(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

**Complaint for a Civil Case**

Case No. \_\_\_\_\_  
*(to be filled in by the Clerk's Office)*

Jury Trial: ☐ Yes ☒ No  
*(check one)*

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Claran Lundgren</u>
Street Address	<u>1622 Montclair</u>
City and County	<u>Surfside Beach, Horry County</u>
State and Zip Code	<u>South Carolina 29575</u>
Telephone Number	<u>607-427-5653</u>

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

**Defendant No. 1**

Name	<u>Ashton Glencko Warramaw Management</u>
Job or Title (if known)	
Street Address	<u>4102 Carolina Commercial Drive</u>
City and County	<u>Myrtle Beach Horry County</u>
State and Zip Code	<u>South Carolina 29579</u>
Telephone Number	<u>(843)-903-9551</u>

**Defendant No. 2**

Name	<u>Bob Sauthoff</u>
Job or Title (if known)	<u>President of HOA</u>
Street Address	<u>1605 Sawgrass Court</u>
City and County	<u>Surfside Beach Horry County</u>
State and Zip Code	<u>South Carolina 29575</u>
Telephone Number	<u>(843)-215-2113</u>

**Defendant No. 3**

Name	<u></u>
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Job or Title \_\_\_\_\_  
 (if known)  
 Street Address \_\_\_\_\_  
 City and County \_\_\_\_\_  
 State and Zip Code \_\_\_\_\_  
 Telephone Number \_\_\_\_\_

Defendant No. 4

Name \_\_\_\_\_  
 Job or Title \_\_\_\_\_  
 (if known)  
 Street Address \_\_\_\_\_  
 City and County \_\_\_\_\_  
 State and Zip Code \_\_\_\_\_  
 Telephone Number \_\_\_\_\_

## II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

### A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Fair Housing Act Title VIII of the civil rights  
Act of 1968, amended (42 U.S.C. 3601 et seq)

**B. If the Basis for Jurisdiction Is Diversity of Citizenship**

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, *(name)* \_\_\_\_\_, is a citizen of the State of *(name)* \_\_\_\_\_.

b. If the plaintiff is a corporation

The plaintiff, *(name)* \_\_\_\_\_, is incorporated under the laws of the State of *(name)* \_\_\_\_\_, and has its principal place of business in the State of *(name)* \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

2. The Defendant(s)

a. If the defendant is an individual

The defendant, *(name)* \_\_\_\_\_, is a citizen of the State of *(name)* \_\_\_\_\_. Or is a citizen of *(foreign nation)* \_\_\_\_\_.

b. If the defendant is a corporation

The defendant, *(name)* \_\_\_\_\_, is incorporated under the laws of the State of *(name)* \_\_\_\_\_, and has its principal place of business in the State of *(name)* \_\_\_\_\_. Or is incorporated under the laws of *(foreign nation)* \_\_\_\_\_, and has its principal place of business in *(name)* \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

## 3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

*The amount at stake is my tax valued house of over \$340,000. In addition, compensatory damages for emotional & physical distress*

## III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

*See attachment*

## IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

*Lost work time so far \$10,000<sup>00</sup>, assessments paid for inability to use services & common property \$535.<sup>00</sup> trash removal so far \$3,500<sup>00</sup>, Inevitable stress tied to litigating this case/emotional physical distress. If the HOA can foreclose my house for fines and fees, I am entitled to the tax valued property value over \$340,000.*

1. Plaintiff purchased her property at 1622 Montclair Drive, Surfside Beach, SC 29575 in April 2021 as a single mother with minor child, BJ. I lived at my residence without issues until after September 7, 2022. On or about September 7, 2022, at Plaintiffs residence, during discussion of requested change in exterior property, Plaintiff requested what measure could be taken if she wanted to lay out in her backyard nude and have privacy. President of the HOA, Bob Sauthoff responded with “make sure you call me”. President of HOA said this on three occurrences, twice within presence of Plaintiffs minor child.

On or about July 22, 2023, while walking back to the Ashton Gleen pool, President of the HOA stopped Plaintiff to ask when she purchased golf cart. Plaintiff asked why she continued to be harassed and retaliated against. President of the HOA responded, “because your boyfriend is loud’.

On May 1, 2023, the same day the Defendant responded to Plaintiffs protest regarding the CMV violations, the President of the HOA allegedly denied the ACC Structure Application sent by the appellant.

2. Since the initial occurrence Plaintiff has received multiple violations from Defendants in which they have created rules not governed by its governing documents. In addition, received misinformation from the President of the HOA. The last was a certified letter sent June 3, 2024 to submit to attorney for personal judgement/foreclosure.

3. I tried to resolve things in Surfside Beach Magistrate court on May 16, 2024, to address all the violations after multiple emails, and phone conversation with the HOA President and Waccamaw Management. Manager of Waccamaw Manager, C. Deluca, after being questioned

by Appellant during Horry County Magistrate hearing on May 16, 2024, that the Appellant had multiple communications via phone and email, unwelcome sexual comments, discrimination, harassment, retaliation, selective enforcement, and for President of HOA to not make any decisions on the Appellants behalf. She responded, “yes, multiple times”. Also, C. Deluca was commenting on another issue, and the judge responded “oh, I think you have said enough already”. I obtained the audio recording from the Magistrate court and certified transcription and this information has been removed from the audio and pauses shown in certified transcript. violations and initiated the violations. Defendants have failed to take actions to eliminate the continued discrimination and retaliation of President of the HOA. A complaint was filed with the SC Judicial Commission.

4. Governing documents clearly state that violations are to be sent certified mail. Plaintiff sometimes received mail after the deadline and/or received violations within the same day eliminating due process. In addition, inability to receive due process, as per the request that due to the Appellants request not to have the President of the HOA involved in any actions of her membership in the community due to confirmed complaints to Waccamaw Management regarding, discrimination, retaliation, harassment, and selective enforcement. Furthermore, Defendant did not follow other enactment and enforcement procedures.

5. The association members as part of their annual assessments pay \$250.00 for the website. The Ashton Glenn HOA has a fiduciary responsibility to the appellant and members of the community. The appellant had used this website as a basis for and guidelines to her obligations as a member of the community.

6. Defendant has enforced rules against the Plaintiff but, not enforced that same rule against the community members or its Board members. Multiple pictures of community members,

including Board Members who have violated governing documents while they were charging fines and fees retaliating and discriminating against Petitioner.

7. Plaintiff has endured emotional and physical distress, medical bills, lost work time, risk of \$65,000 year job, having to come home from a mentally demanding job to research for the proceedings, lost valuable time to be spent with her family, and relationship issues. The defendant had suspended all services and rights to common property and incurred expenses as a result. In addition, the Plaintiff and family has been unable to enjoy her property, common property, and services. Always in fear of the next violation or retaliation the Defendant will create against her.



**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

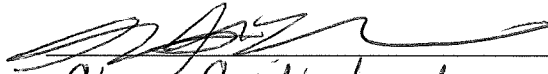
**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: August 15, 2024

Signature of Plaintiff

Printed Name of Plaintiff

  
Clara Cecilia Lundgren

**B. For Attorneys**

Date of signing: \_\_\_\_\_, 20\_\_.

Signature of Attorney \_\_\_\_\_

Printed Name of Attorney \_\_\_\_\_

Bar Number \_\_\_\_\_

Name of Law Firm \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

E-mail Address \_\_\_\_\_